

COMMUNITY DEVELOPMENT

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STAFF REPORT FOR HEARING EXAMINER MEETING OF WEDNESDAY, MARCH 19, 2014

FILE: AT&T RUSSELL ROAD PARK WTF

CE-2013-2 KIVA #RPP3-2134240

APPLICANT: Brandon Olsen

AT&T Mobility

19801 SW 72nd Ave #200

Tualatin, OR 97062

REQUEST: Request for a conditional use permit pursuant to

Kent City Code 15.04.020(8) to replace an existing 91-foot tall light pole within the Russell Road Sports Field Complex with a 110-foot tall light pole that will include a wireless telecommunications facility (WTF) mounted to the top. A 290 square foot equipment shelter will be placed near the base

of the pole.

STAFF

REPRESENTATIVE: Erin George, AICP

<u>STAFF</u>

RECOMMENDATION: APPROVAL WITH CONDITIONS

I. <u>GENERAL INFORMATION</u>

A. Description of the Proposal

The applicant proposes to replace an existing 91-foot tall light pole within the Russell Road Sports Field complex with a 110-foot tall replacement light pole that will include a wireless telecommunications

facility (WTF) mounted to the top. The WTF will include twelve 1' x 8' directional panel antennas, with a separate 290 square foot equipment shelter placed near the base of the light pole to house radio transmitters, receivers and other equipment related to the WTF. The light pole will be replaced in its existing location near the bleachers, and the equipment shelter will be designed to resemble other ball field buildings as depicted on the plans dated November 27, 2013. The Russell Road Sports Field Complex is owned and operated by the City of Kent Parks Department.

B. <u>Location</u>

The property is located at 5821 West James Street and is identified by King County tax parcel number 2322049027.



C. <u>Size of Property</u>

The Russell Road Sports Field Complex is located on the same parcel as the City of Kent Public Works Operations facility. The entire parcel is approximately 36 acres in size, with the sports complex occupying three-quarters of the site.

D. <u>Zoning</u>

The subject parcel is zoned SR-1, Residential Agricultural with a Comprehensive Plan designation of OS, Open Space. Properties to the northeast and west are zoned SR-1, Residential Agricultural. Properties across James Street to the north are zoned MR-G, Low Density Multifamily Residential. Property to the south is zoned MHP, Mobile Home Park and to the east MR-M, Medium Density Multifamily Residential. Wireless telecommunication facilities are allowed by Conditional Use Permit in SR zones if they are located on publicly owned property.

E. Land Use

The subject property is called Russell Road Sports Complex and includes several baseball fields with associated parking, bleachers, restrooms and concessions buildings. The City of Kent Public Works Operations facility and the Kent Valley Ice Arena are located to the north. The Riverbend golf course is located across Russell Road to the west. A mobile home park is located to the south and an apartment complex to the east.

F. History

The subject parcel was historically used as farmland before being acquired by the City. The Public Works Operations facility was constructed in 1968. The Russell Road sports complex was approved via a Conditional Use Permit in 1972 and constructed shortly thereafter. The baseball fields were refurbished in 1998.

II. ENVIRONMENTAL CONSIDERATIONS

A. Environmental Assessment

A Mitigated Determination of Nonsignificance (ENV-2013-23) was issued on February 21, 2014. A copy of the determination is included in this file. As of the date of this staff report, no appeals have been filed. The appeal period ends on March 21, 2014.

B. Significant Physical and Social Features

1. Topography and Hydrology

The site is flat with no sensitive areas on or near the site. The Green River is located about 1,200 feet to the northwest, across Russell Road from the proposed pole location.

2. Plants

Vegetation is limited to lawn grass and a variety of mature landscaping. A large deciduous tree is near the proposed pole location, but the tree will be unaffected.

3. Street System

The subject property has frontage on both Russell Road South and West James Street. The park access is located on Russell Road, while the PW Shops facility accesses James Street.

4. Water, Sanitary Sewer, and Stormwater Systems

The property is served by City of Kent water and sewer.

III. CONSULTED DEPARTMENTS AND AGENCIES

The following departments and agencies were advised of this application:

Economic Development City Administration City Attorney

Public Works

Police

Fire

Parks

City Clerk

Century Link

Puget Sound Energy

King County Environmental Health

King County Wastewater Treatment Division

King County Transit Division

King County Public Health

Washington State Department of Ecology

Kent School District

Kent Post Office

A Notice of Application for the project was published in the Kent Reporter and posted on the site on January 24, 2014. In addition to the above, on March 9, 2014 all property owners within 300 feet of the site were notified of the application and public hearing. No public comments were received.

IV. PLANNING SERVICES REVIEW

A. <u>Comprehensive Plan</u>

In 1995 (amended 2004) the Kent City Council adopted the Kent Comprehensive Plan which represented a complete revision to the City's 1977 comprehensive plan. The 1995, and as amended in 2004, plan was prepared under the provisions of the Washington State Growth Management Act. The comprehensive plan, through its goals and policies, presents a clear expression of the City's vision of growth for citizens, the development community, and other public agencies. The plan is used by the Mayor, City Council, Land Use and Planning Board, Hearing Examiner, and the city departments to guide decisions on amendments to the City's zoning code and other development regulations which must be consistent with the plan. It also guides decisions regarding the funding and location of capital improvement projects. The Land Use element of the plan contains a Land Use Plan Map which designates the type and intensity of land uses throughout the City as well as the entire potential annexation area.

The Comprehensive Plan designation for the site and immediate vicinity is OS, Open Space. The following Comprehensive Plan goals and policies support the proposed development:

Goal UT-7: Promote the expansion of telecommunication services to all locations within Kent's Planning Area. Provide access by future development to a variety of telecommunications choices.

Policy UT-7.3: In recognition and encouragement of the expansion of cellular communications, work with utility providers to find desirable locations for future facilities.

Goal UT-8: Review the location of new telecommunication facilities to ensure that proposed locations promote the efficient distribution of services and minimize impacts on adjacent land uses and the environment.

B. Zoning Code

Pursuant to Kent City Code 15.04.020(8), the SR-1, Residential Agricultural zone allows wireless telecommunication facilities by Conditional Use Permit if they are located on publicly owned property. The subject property is owned by the City of Kent. The purpose of a conditional use permit is to allow the proper integration into the community of uses which may be suitable only on certain conditions in specific locations in a zoning district, or if the site is regulated in a particular manner.

C. Consistency Analysis

The proposed wireless facility is allowed as a conditional use on government-owned property zoned SR-1 (KCC 15.04.020(8) and 15.08.035(I)(1)(b)). The project will not place excessive demands on public infrastructure in the vicinity. The proposed site plan appears to be in conformance with the development standards of the Kent Zoning Code. Final compliance with development standards for this proposal will be determined through a combination of the conditional use permit, applicable provisions of the Kent Zoning Code, and other requirements of the International Building Code, International Fire Code, City of Kent Surface Water Design Manual and City of Kent Construction Standards. The final determination of code compliance for this project will be made after the appropriate applications have been reviewed for construction permit issuance.

D. <u>Criteria for Evaluating a Conditional Use Application</u>

The Kent Zoning Code, Section 15.09.030(D), enumerates eight criteria or standards which must be met in order for a conditional use permit to be granted by the Hearing Examiner. The following is a listing of those criteria and a discussion of how these criteria relate to the proposed application.

1. The proposed use in the proposed location will not be detrimental to other uses legally existing or permitted outright in the zoning district.

Applicant Response:

The proposed use will not be detrimental to other uses legally occurring or permitted outright in the zone. The proposed use is consistent with other uses occurring in the zoning district including land-line telephone, electrical power, high speed cable,

etc. The proposed use will not generate any traffic, hazardous waste, smoke, or noise. However, the proposed use will provide improved wireless communications services to the area.

<u>Planning Services Comment</u>: As the proposed WTF will be replacing an existing light pole designed to resemble the other existing light poles on the site, the impact to surrounding uses will be minimal. The recommended conditional approval will require that the equipment cabinet be constructed of similar materials to other structures on site and screened with vinyl-coated fencing and landscaping to soften the appearance.

2. The size of the site is more than adequate for the proposed use.

<u>Applicant Response</u>: The size of the site is more than adequate for the proposed use. The proposed use will only need an approximately 15 feet by 30 feet area for the siting of the applicant's approximately 12 feet by 24 feet equipment area shelter.

<u>Planning Services Comment</u>: The parcel area is approximately 36 acres in size but the proposed lease area is only 450 square feet; therefore there is more than enough space to accommodate the proposed use.

3. The traffic generated by the proposed use will not unduly burden the traffic circulation system in the vicinity.

<u>Applicant Response</u>: The proposed use will not unduly burden traffic circulation and will only generate approximately one (1) vehicle trip per month for routine maintenance of the site.

<u>Planning Services Comment</u>: The proposed WTF is an unstaffed station that will not generate traffic on a daily basis. However, maintenance staff will visit the site approximately once a month. One vehicle trip per month is a negligible traffic impact to the overall traffic circulation system. Adequate parking is present at the Russell Road Sports Complex.

4. The other performance characteristics of the proposed use are compatible with those of other uses in the neighborhood or vicinity.

<u>Applicant Response</u>: The performance characteristics of the proposed use are compatible with other uses in the neighborhood or vicinity. The proposed use will not negatively affect or conflict with other uses in the vicinity.

<u>Planning Services Comment</u>: The nature of the proposed WTF is passive in terms of a land use. There will be no trips generated by this use with the exception of monthly maintenance visits, and little to no noise generated by the facility. Additionally, there is no proposed lighting associated with this WTF, aside from replacement of the existing field light fixture. Based on these factors, the performance characteristics of the proposed WTF will be compatible with surrounding uses.

5. Adequate buffering devices such as fencing, landscaping, or topographic characteristics protect adjacent properties from adverse effects of the proposed use, including adverse visual or auditory effects.

Applicant Response: Adequate screening and buffering devices have been implemented to protect adjacent properties to the extent feasible. These include: using a "stick-built" equipment building designed to resemble or mimic other similar sports field buildings; locating the proposed WTF approximately 100 feet from the nearest residential property; painting proposed antennas to closely match the color of the replacement light standard pole and close-mounting proposed antennas to the replacement as feasible.

<u>Planning Services Comment</u>: The nearest residence is approximately 115 feet away. The existing light pole is currently visible from the abutting residences, therefore the replaced pole with WTF antennas will continue to be visible and possibly the equipment shelter as well. The recommended conditional approval will require that the replacement pole match the existing poles and the antennas be painted to match as well. Fencing and landscaping around the equipment shelter will ensure adequate screening. As conditioned, the proposed WTF will be adequately buffered and screened to minimize visual impacts. No auditory impacts are anticipated due to the distance to nearby residences.

6. The other uses in the vicinity of the proposed site are such as to permit the proposed use to function effectively.

<u>Applicant Response</u>: Other uses in the vicinity of the proposed site are adequate for the proper functioning of the proposed use. Adequate access, power and telephone service is present at the site.

<u>Planning Services Comment</u>: As the proposed WTF is a passive use, monitored remotely with maintenance visits only once a month, the ongoing use of the Russell Road Sports Complex and other uses in the area are not expected to impact the function of the proposed WTF. Some measure of security should be taken to ensure that the unstaffed equipment cabinet is protected. Installation of a chain-link fence around the equipment cabinet should provide such security. In an effort to minimize the visual impacts of this fencing, the City has conditioned this permit that the fencing be treated with vinyl coating and landscaping installed outside the fence.

7. The proposed use complies with the performance standards, parking requirements, and other applicable provisions of the code.

<u>Applicant Response</u>: The proposed use complies with the performance standards, parking requirements and other applicable provisions of the title. The proposed use will exceed required setbacks from adjacent properties and will not require any additional parking. In addition, the proposed use is consistent with the heights of other similar structures in the vicinity of the site such as other existing light standards.

<u>Planning Services Comment</u>: The proposed use complies with the provisions of the Kent City Code that relate to performance standards and parking requirements with regard to WTFs.

8. Any other similar considerations may be applied that may be appropriate to a particular use.

<u>Applicant Response</u>: The proposed use will not be significantly different in size and features than what currently exists at the site. The proposed use will utilize an existing, replacement light standard of comparable height with other light standards

occurring on the property. Proposed equipment will be located in a building to resemble other buildings occurring on the site. The proposed use was designed to closely resemble structures and features already occurring at the site to the extent feasible.

Planning Services Comment:

In addition to the general performance standards and parking requirements outlined in approval criteria #7, the Hearing Examiner is required to take into account specific considerations in granting a conditional use for this WTF according to Kent City Code 15.08.035 (I)(2). These criteria are as follows:

A. Height of the tower.

The overall height of the proposed replacement light standard including the WTF antennas will be 110 feet tall. The existing light standard is approximately 91 feet tall. The difference in height will be approximately 19 feet.

B. Proximity to residential structures and residential district boundaries.

The proposed WTF is located within the SR-1, Residential Agricultural district. The closest residential structure is approximately 115 feet to the south, within the adjacent mobile home park, according to the applicant.

C. Nature of uses on adjacent and nearby properties.

The subject property is called Russell Road Sports Complex and includes several baseball fields with associated parking, bleachers, restrooms and concessions buildings. The City of Kent Public Works Operations facility is located to the north on the same parcel. The Kent Valley Ice Arena is located to the northeast. The Riverbend golf course is located across Russell Road to the west. A mobile home park is located to the south and an apartment complex to the east.

D. Surrounding topography.

The site and the surrounding area is generally flat. The Green River is located about 1,200 feet to the northwest.

As a levee is present along the riverbank, topography immediately adjacent to the river slopes steeply down to the northwest to the river's edge.

E. Surrounding tree coverage and foliage.

Vegetation is limited to lawn grass and a variety of mature landscaping, both on the site and on surrounding properties. Several tall trees occur in the vicinity of the proposed pole and will partially block views of the WTF.

F. Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

No new tower is proposed. However, certain design measures have been incorporated into the proposed replacement light standard to reduce the visual impact of the facility. These include: replacing the existing wooden light standard with a new wooden light standard as opposed to using a steel monopole design; close-mounting the proposed WTF antennas to the light; and painting antennas and associated coax cable to match the color of the light.

G. Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures.

Pursuant to discussions with the applicant, and after reviewing a map prepared by the applicant for this process, it would appear that there are no alternative sites that can provide the coverage AT&T is attempting to provide for this area.

H. Obstruction of or interference with views.

As the existing sports field complex contains numerous light poles and the replacement pole will be constructed of wood and designed to match existing poles, the aesthetic impact is expected to be minimal. The views from homes located to the south will be slightly altered but not obstructed or shadowed. No mountain or water views will be obstructed.

Staff Report AT&T Russell Road Park WTF CE-2013-2, KIVA RPP3-2134240

I. Consistency with purpose and goals set forth in subsection (a) of Section 15.08.035.

Based on the information contained in the application and this staff report, it is staff's opinion that the purpose and goals in the above referenced section are being met by the proposed WTF.

V. <u>CITY STAFF RECOMMENDATION</u>

Upon review of the merits of this request and code criteria for granting a **CONDITIONAL USE PERMIT**, City staff recommends **APPROVAL** with the following conditions:

- 1. The replacement pole shall be of the same material as the existing light pole. Antennas shall also be painted to match the pole.
- 2. The equipment cabinet shall be constructed of materials similar to other structures on site, substantially as shown on the plans dated November 27, 2013, in order to promote consistent site design.
- 3. The equipment cabinet shall be enclosed by a vinyl-coated chain link fence and screened with Type II landscaping at least 3 feet in width in order to screen the lease area from surrounding properties.
- 4. No lighting shall be used for either the equipment cabinet or the pole, with the exception of the replacement field light fixture and any safety lighting that may be required by the Federal Aviation Administration.
- 5. The proposal is subject to all mitigation measures found in the MDNS issued February 21, 2014 for ENV#2013-23, KIVA# 2134242.

KENT PLANNING SERVICES

March 12, 2014
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